

**MINUTES OF THE MEETING OF THE
ROWAN COUNTY BOARD OF COMMISSIONERS**

February 15, 2010 – 7:00 PM

J. NEWTON COHEN, SR. ROOM

J. NEWTON COHEN, SR. ROWAN COUNTY ADMINISTRATION BUILDING
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Present: Carl Ford, Chairman
Chad Mitchell, Vice-Chairman
Jon Barber, Member
Raymond Coltrain, Member
Tina Hall, Member

County Manager Gary Page, Clerk to the Board Carolyn Athey, County Attorney Jay Dees and Finance Director Leslie Heidrick were present.

Chairman Ford convened the meeting at 7:00 pm.

Commissioner Hall provided the Invocation and also led the Pledge of Allegiance.

CONSIDER APPROVAL OF THE MINUTES

Commissioner Mitchell moved, Commissioner Barber seconded and the vote to approve the minutes of the February 1, 2010 Commission Meeting passed unanimously.

CONSIDER ADDITIONS TO THE AGENDA

Commissioner Coltrain requested to move Consent Agenda items (d) and (e) to the regular agenda for discussion.

For discussion purposes, Chairman Ford placed Consent Agenda item (d) as agenda item #7a and Consent Agenda item (e) as agenda item #7b.

CONSIDER DELETIONS FROM THE AGENDA

There were no deletions from the agenda.

CONSIDER APPROVAL OF THE AGENDA

Commissioner Barber moved approval of the agenda. The motion was seconded by Commissioner Mitchell and passed unanimously.

1. CONSIDER APPROVAL OF CONSENT AGENDA

Commissioner Barber moved approval of the Consent Agenda. The motion was seconded by Commissioner Coltrain and passed unanimously.

The Consent Agenda consisted of the following:

- A. Set Public Hearing for March 1, 2010 for YMCA Industrial Revenue Bond Refinancing
- B. Approval of Rowan Public Library Book Sale in April 2010
- C. Approval of Proclamation Honoring Dr. Valeria Fleming

The Proclamation read as follows:

WHEREAS, the Rowan County Board of Commissioners hereby honors, Dr. Valeria Fleming, a native of Rowan County, for her dedication as a public servant; and

WHEREAS, Dr. Fleming unselfishly gave fifty (50) years as a professor, administrator, and mentor to make a difference in the lives of students; and

WHEREAS, Dr. Fleming's commitment to education and community service will continue to shape the structure of the lives she has touched; and

WHEREAS, at the onset of her retirement, Dr. Fleming is to be honored as a valued member of the community by exemplifying leadership and character through various organizations and positions, which include: The first woman Provost in the University of North Carolina System, the second female to serve as Chief Academic Officer at a UNC Constituent institution, the first to complete the UNC Board of Governor's Faculty Doctoral Study Assignment Program, service on the Red Cross Board and the American Cancer Society Board; and others.

NOW, THEREFORE BE IT RESOLVED, the Rowan County Board of Commissioners commends Dr. Fleming for her extensive contributions to education and to the public and offers congratulations on her retirement.

- D. Approval of Resolution to Prohibit Illegal Aliens from Attending North Carolina's Community Colleges (moved to agenda item #7a)
- E. Set Public Hearing for March 1, 2010 for Eminent Domain Ordinance (moved to agenda item #7b)
- F. Set Public Hearing for March 1, 2010 for Z 01-10
- G. Set Public Hearing for March 1, 2010 for Proposed Road Name of Gemini Drive
- H. Set Public Hearing for March 1, 2010 for Z 16-00 & CUP 07-00
- I. Approval of Commercial Activities Hangar Lease Rate
- J. Approval of Use Agreement & Indemnity for Sheriff's Office Training Exercises
- K. Consider Approval of Juvenile Crime Prevention Council Funding Request

2. PUBLIC COMMENT PERIOD

Chairman Ford opened the Public Comment Period to entertain comments from any citizens wishing to address the Board. The following individuals came forward:

- Larry Wright spoke in support of agenda item #5 (Resolution Opposed to Town of Mooresville's Annexation Into Western Rowan County). Mr. Wright also spoke in support of agenda item #7a (Resolution to Prohibit Illegal Aliens from Attending North Carolina's Community Colleges).
- Fred Clarkson spoke in opposition of agenda item #7a (Resolution to Prohibit Illegal Aliens from Attending North Carolina's Community Colleges).
- William Henry Batterman spoke in support of agenda item #7a (Resolution to Prohibit Illegal Aliens from Attending North Carolina's Community Colleges).
- LaShon Harris spoke in support of agenda item #7a (Resolution to Prohibit Illegal Aliens from Attending North Carolina's Community Colleges).
- James Rollans spoke in support of agenda item #5 (Resolution Opposed to Town of Mooresville's Annexation Into Western Rowan County) and asked the Board to encourage the Town of Mooresville to deny the request.
- Marian Rollans spoke in support of agenda item #5 (Resolution Opposed to Town of Mooresville's Annexation Into Western Rowan County).

Chairman Ford opened the floor to entertain a motion to extend Public Comment Period.

Commissioner Barber moved, Commissioner Mitchell seconded and the vote to extend Public Comment Period passed unanimously.

- Kenneth LaCasse spoke in support of agenda item #5 (Resolution Opposed to Town of Mooresville's Annexation Into Western Rowan County).
- Rose LaCasse – spoke in support of agenda item #5 (Resolution Opposed to Town of Mooresville's Annexation Into Western Rowan County).
- Barbara Gainey spoke in opposition to agenda item #7a (Resolution to Prohibit Illegal Aliens from Attending North Carolina's Community Colleges).
- Sally Murphy spoke in support of agenda item #5 (Resolution Opposed to Town of Mooresville's Annexation Into Western Rowan County).
- Gig Hilton, partial owner of WSTP in Salisbury and 94.1, spoke in opposition to agenda item #5 (Resolution Opposed to Town of Mooresville's Annexation Into Western Rowan County). Mr. Hilton discussed the rights of the property owner to request a voluntary satellite annexation and said he felt the resolution attacked the property owner's rights personally.

With no one else wishing to address the Board, Chairman Ford closed the Public Comment Period.

3. PUBLIC HEARING FOR FY 2010-11 HOME ACTION PLAN

Planning and Development Director Ed Muire reported that as a member of the Cabarrus/Rowan/Iredell HOME Consortium, Rowan County anticipated receiving approximately \$189,546 in project funds for FY 2010-11. The required match for participation was \$47,387 and was expected to be obtained from other program eligible sources. In the event the required match was not available from other sources, the County would be financially responsible for all or the remainder of the match.

Mr. Muire said the program would again be administered by Hobbs, Upchurch and Associates.

Chairman Ford opened the public hearing for the FY 2010-11 HOME Action Plan.

With no one wishing to address the Board, Chairman Ford closed the public hearing.

Commissioner Barber moved to adopt the 2010-11 Action Plan for the County's participation in the HOME Program and to authorize the County Manager to sign the necessary paperwork for submittal of the Action Plan. The motion was seconded by Commissioner Coltrain and passed unanimously.

4. CONSIDER REQUEST FROM NATIONAL GUARD FOR GUARDHOUSE SITE

Roland Myrick, Director of Special Projects for the North Carolina National Guard, presented a request for an amendment to an existing lease for additional leased property. Mr. Myrick said the purpose of the request was to secure the perimeter of the existing Army Aviation Flight Facility and Fuel Distribution System Facility at the Salisbury site.

Mr. Myrick highlighted the handout he had distributed to the Board just prior to the meeting, which included a map of the property, as well as an aerial photo and the current lease.

Mr. Myrick said the National Guard wanted to fence in the entire area and secure a fence line across the front of the property with a twenty-four (24) hour guard station and operational gate. Mr. Myrick said there would be a keypad at the station in the event a guard was not there. Mr. Myrick said Rowan County would have access to the keypad and roadway at all times.

Commissioner Barber asked if the request had been considered by the Airport Advisory Board and County Manager Gary Page responded yes.

Commissioner Mitchell asked if there would be a turnaround point at the new guardhouse and Mr. Myrick said yes.

Commissioner Mitchell inquired if the road past the new guardhouse would be removed from state maintenance. Mr. Myrick said yes and that the National Guard would accept the road maintenance.

Mr. Page added that the Commissioners would have to set a public hearing to close the road.

Commissioner Mitchell said the leased area marked was within the confined areas of a chain link fence and he asked if the new lease included the area of land that was inside the fence. Mr. Myrick said the actual description on the proposed lease was the requested additional areas. Mr. Myrick said the National Guard would like to request that the new lease included all areas.

Commissioner Mitchell asked if the area in question was outside the domain of the Airport Master Plan and Mr. Page said yes.

Commissioner Mitchell asked if the guardhouse would be manned twenty-four (24) hours and Mr. Myrick said yes.

In response to a query from Commissioner Mitchell, Mr. Page said requests to enter the area should be submitted to the Airport Director for airport personnel, etc.

Commissioner Mitchell said the service provided by the National Guard, as well as the presence of the National Guard was more than enough of a benefit to approve the request as long as the agreement would show, 1) the National Guard taking over the road, and 2) including the fenced area into the agreement.

Mr. Myrick said the agreement would expire in 2099, which was the expiration date of the current lease.

Commissioner Mitchell moved to send the lease through County Attorney Jay Dees to incorporate language to include the road maintenance and to extend the leased area. The motion was seconded by Commissioner Barber and passed unanimously.

5. RESOLUTION OPPOSED TO THE TOWN OF MOORESVILLE'S ANNEXATION INTO WESTERN ROWAN COUNTY

County Manager Gary Page said the following proposed Resolution was drafted at the request of several Commissioners:

WHEREAS, North Carolina General Statutes currently allows municipalities to annex properties outside their jurisdiction; and

WHEREAS, annexations when involuntary may occur without any input from the residents of the proposed area to be annexed; and

WHEREAS, after annexation, counties are still required to provide the residents of the annexed areas with school facilities, emergency services, public health services and social services; and

WHEREAS, counties lose revenue to the municipality after annexation due to the loss of sales tax revenues; and

WHEREAS, the Rowan County Board of Commissioners has gone on record supporting change to North Carolina's outdated and inherently unfair annexation law; and

WHEREAS, the Rowan County Board of Commissioners has gone on record supporting annexation reform through a resolution supporting Senate Bill 494 and House Bill 645, which provide comprehensive reform through stricter standards and offer citizens affected by annexation the meaningful oversight, meaningful services and meaningful voice expected from their government; and

WHEREAS, the current application to petition for the satellite annexation of an 18-acre tract of a 200-acre farm by the property owner is an attempt to circumvent the Rowan County Zoning Ordinance.

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners does hereby oppose annexation by the Town of Mooresville, North Carolina into Rowan County in this satellite annexation.

BE IT FURTHER RESOLVED, that the Rowan County Board of Commissioners respectfully requests that its' legislative delegation take the necessary steps to prevent the proposed satellite annexation into Rowan County.

Commissioner Hall thanked Mr. Page for preparing the Resolution and thanked the citizens who had spoken during the Public Comment Period. Commissioner Hall said one (1) speaker tried to frame the issue as a property rights issue and that she disagreed with those comments. Commissioner Hall felt the issue was satellite annexation by the Town of Mooresville into Rowan County.

Commissioner Hall said she understood North Carolina's General Statutes dictated that a municipality could not annex more than three (3) miles from the city limits and that the municipality could not annex part of a subdivision. Commissioner Hall pointed out the application requested only eighteen (18) acres of a two hundred (200) acre farm.

Commissioner Hall said the Board had taken a strong stand on annexation in the past with the adoption of several resolutions.

Commissioner Hall said she had emailed the Board prior to the meeting with several changes to the proposed resolution. Commissioner Hall read the following resolution, which incorporated the changes as emailed:

WHEREAS, North Carolina General Statutes currently allows municipalities to annex properties outside their jurisdiction; and

WHEREAS, annexations when involuntary may occur without any input from the residents of the proposed area to be annexed; and

WHEREAS, after annexation, counties are still required to provide the residents of the annexed areas with school facilities, emergency services, public health services and social services; and

WHEREAS, counties lose revenue to the municipality after annexation due to the loss of sales tax revenues; and

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Commissioner Mitchell said there had been a request from a citizen for the Town of Mooresville to look into a potential voluntary and satellite annexation and that he thought the wisest course of action would be to allow the Town of Mooresville to perform its due diligence. Commissioner Mitchell said the Town of Mooresville had not acted on the request, nor had it issued a letter of intent to annex. Commissioner Mitchell said he thought there would be a point during the process where a resolution, such as the one proposed, would be necessary. Commissioner Mitchell said at this point a citizen had exercised his right to request a voluntary annexation. Commissioner Mitchell said it was up to the staff of the Town of Mooresville to determine whether the request met the requirements of a satellite annexation.

Commissioner Mitchell said he was concerned the Board was signaling a significant departure from policy. Commissioner Mitchell asked if the Board would oppose the voluntary annexation of any piece of property regardless of whether the annexation was satellite. Commissioner Mitchell said he had a problem in not allowing citizens to request their governments to respond to their needs. Commissioner Mitchell asked if the Board was going to oppose all satellite annexations and go on record to say all satellite annexations were not appropriate inside the boundaries of Rowan County. Commissioner Mitchell asked if the Board was also going to oppose annexation by a municipality outside the county, including the City of Kannapolis.

Commissioner Mitchell said the Board had taken a strong stand on annexation; however, he felt at the moment the matter was a property rights issue and that the Board could be “jumping the gun”. Commissioner Mitchell said he also had a problem with the reference in the resolution directly to the Parker farm. Commissioner Mitchell said at this point in time it was not necessary for the Board to address the request.

Commissioner Coltrain said he was concerned with the Town of Mooresville executing a satellite annexation five (5) miles from its city limits. Commissioner Coltrain said he agreed with Commissioner Mitchell’s comments and it might be wise for the Board to communicate the Board’s opposition, due to the distance, to the Mooresville City Council. Commissioner Coltrain said the Board could not deny the citizen’s right to make the request. Commissioner Coltrain said he did not like the statement in the resolution that the property owner was attempting to circumvent the Rowan County Zoning Ordinance, as the property owner had the right to make the request. Commissioner Coltrain said the Board’s best approach would be to send a letter to the Mayor of Mooresville expressing the Board’s concerns.

Commissioner Barber said the process started when the Town of Mooresville accepted the petition for satellite annexation. Commissioner Barber said based on information previously received, the process had been underway for a long time. Commissioner Barber said as he understood, the Town of Mooresville was allowed to satellite annex the property due to the fact that it was part of Mooresville’s extraterritorial jurisdiction. Commissioner Barber said he was confused as to why the attorney representing the family had presented a letter to the Board explaining why the annexation would be good for Rowan County and yet on Friday the Board had received word that the petition would be pulled.

Commissioner Barber highlighted the history of a previous request to the Board for CUP 01-05, which was for the establishment of a broadcast tower on the same property in question. Commissioner Barber said the Commissioners had denied the request, and on September 18, 2007 the North Carolina Court of Appeals affirmed the decision to deny the permit. On August 26, 2008 the North Carolina Supreme Court followed the order agreeing with the Board of Commissioners. Commissioner Barber said he believed the request was an attempt to circumvent the Rowan County Ordinance.

Commissioner Barber said on September 21, 2009 the Board passed a resolution against involuntary annexation. Commissioner Barber said during the meeting he had made it very clear the Board needed to be concerned with satellite annexation. Commissioner Barber said satellite annexation was legal and the Board had already agreed to it with the City of Kannapolis. Commissioner Barber asked what would stop other municipalities from following suit. Commissioner Barber said residents in the Mount Ulla area had expressed

concern that if the request was approved, there could be involuntary annexations in the future.

Commissioner Barber said the family's attorney had suggested the request could help Rowan County save money by allowing co-location of antenna for telecommunications needs on the tower. Commissioner Barber asked Mr. Page if the property would be an optimal site in terms of the overall strategy to provide the most coverage for digital communications in Rowan County. Mr. Page said if there was an antenna located at the site in question, it would work but it would not be the optimum site for the best coverage. Mr. Page said the Young's Mountain site and a site near Enochville would be optimal.

Commissioner Coltrain suggested the Board delay making a decision for several weeks to see what information evolved.

Commissioner Coltrain moved to delay making a decision in order to be able to make a more informed decision. The motion was seconded by Commissioner Mitchell.

Chairman Ford said he had mixed emotions regarding the request since it was not a forced annexation. Chairman Ford said he believed in property rights. Chairman Ford also said he did not want to do anything that would harm the City of Kannapolis. Chairman Ford said he was concerned about opening the doors to Mooresville, as they might not close. Chairman Ford said he was opposed to cross county annexation with the exception of Kannapolis. Chairman Ford said the tower locations would not be determined until the study was completed.

Chairman Ford said he understood both sides of the issue and was leaning towards supporting the resolution; however he would like to delay a decision at this time.

Commissioner Barber said the issue was not just about annexation. Commissioner Barber said the letter received from the attorney for the family specifically stated one of the proposed uses for the tower would be to allow Rowan County to place its communication system on any tower constructed on the property.

Commissioner Mitchell asked if it would be the intent of the Board to say it does not support a tower in that location outside of the context of a CUP hearing. Commissioner Barber responded no; however, he said the Board could communicate its position to the Town of Mooresville by sending a letter and a copy of the resolution.

Commissioner Hall said she felt the issue was far enough along that the Town of Mooresville needed feedback from the Board.

Chairman Ford asked what would happen if the petition was pulled in two (2) weeks. Chairman Ford said he was completely opposed to Mooresville annexing into Rowan County.

Commissioner Mitchell said waiting two (2) weeks would create the opportunity for the application to be pulled since the Board had received the indication that it would be.

Commissioner Coltrain asked who would gather additional information and Commissioner Hall asked what additional information was needed.

Commissioner Coltrain clarified that additional information regarding the extraterritorial jurisdiction was needed.

Mr. Page said he and the County Attorney would gather information.

Commissioner Hall said regardless of whether or not the request qualified, the Board should want to communicate its opposition to Mooresville.

Commissioner Mitchell said if the Board was to table the discussion, and if the petition was not withdrawn, he would support a resolution at the next opportunity requesting Mooresville not perform a satellite annexation in Rowan County. Commissioner Mitchell added that the Town of Mooresville would have to follow due process and there would be another time for public input.

Commissioner Coltrain said he would like for his motion to stand.

Commissioner Barber commented that a majority of the Board would not be present in two (2) weeks; therefore a vote could not take place until the second meeting in March.

Commissioner Mitchell said there would still be a 4-0 vote in support of the resolution and although he would not be present at the next meeting, he would support the vote and it would be unanimous.

County Attorney Jay Dees said there had been questions about the validity of the application and he did not feel it was appropriate for Rowan County to determine the validity. Mr. Dees said he wanted to be clear that he would not be asked to review the application and comment on the validity. Commissioner Coltrain verified that he was not asking Mr. Dees to check behind the other attorneys.

Upon being put to a vote the motion on the floor passed 3-2 with Commissioners Hall and Barber dissenting.

6. CONSIDER APPROVAL OF BUDGET AMENDMENTS

Finance Director Leslie Heidrick presented the following budget amendments for the Board's consideration:

- Finance – The County received \$79,358.59 from the ABC Board as profit distributions. The budget amendment is for the sixty percent of funds that are paid to municipalities - \$ 47,616
- Finance – To budget increase in allocation from the Department of Juvenile Justice and Delinquency Prevention. The County also received new funds for Community-Based Youth Gang Prevention - \$47,184
- To budget additional revenue received and to cover additional pay for Board of Elections Board members for November municipal elections - \$965
- Emergency Services – To budget restricted funds through United Way donation for EMS equipment/services - \$74
- Health – To allocate New Family Strengthening Grant funds for FY 09-10 - \$ 38,219
- Senior Services – Additional ARRA Nutrition funds - \$47,045
- Social Services – Budget funds for foster care caseworker staff time for the current fiscal year - \$5,320

Commissioner Barber moved approval of the budget amendments as presented. The motion was seconded by Commissioner Coltrain.

Commissioner Barber said some agencies had indicated to him that the State had asked them to consider budget reductions of three to seven percent and he asked Ms. Heidrick if the County had also received the same indications. Ms. Heidrick responded that she had not heard any percentages or received any such notices.

Commissioner Barber said the State was starting to signal that reductions would be made and there were also rumblings that counties would be asked to take over secondary road maintenance. Commissioner Barber said it had been estimated that the secondary road maintenance would cost Rowan County approximately \$8-10 million per year. Commissioner Barber expressed concern that the Board would face an extremely difficult budget process.

Chairman Ford said he had met with Jennifer Roberts, Chair of the Mecklenburg County Commissioners. Chairman Ford said Ms. Roberts had talked with Governor Perdue, who had indicated that the State was leaning towards the counties taking over the secondary road maintenance.

County Manager Gary Page said the counties had not been responsible for secondary roads since the 1920's. Mr. Page said at some point in March he would need to meet with the Board for direction with the upcoming budget preparations.

Upon being put to a vote, the motion to approve the budget amendments as presented passed unanimously.

7. REPORTS

The following reports were presented for the Board's consideration:

- (a) County Manager's Monthly Activity Report to the Board
- (b) Rowan County Landfill Non-Commercial Convenience Site Plans

At the request of Commissioner Mitchell, County Manager Gary Page highlighted the report concerning the landfill.

Mr. Page said the County had been notified by the quarry owners they had a need for their property where the convenience site was currently located. Mr. Page said the County would need to relocate the convenience site as soon as possible.

Mr. Page said in 2006 the Commissioners had approved moving the Woodleaf site to the landfill and that white goods money could be utilized for the move. Mr. Page said the disadvantage for the move would be citizens having to drive a few miles further to dump at the landfill. Mr. Page said a positive for the move is that the landfill is open six (6) days per week as opposed to three (3) days at the convenience site.

Commissioner Barber moved, Commissioner Coltrain seconded and the vote to accept the reports as presented passed unanimously.

Chairman Ford called for a recess at 8:25 pm.

Chairman Ford reconvened the meeting at 8:30 pm.

ADDITIONS

7a. APPROVAL OF RESOLUTION TO PROHIBIT ILLEGAL ALIENS FROM ATTENDING NORTH CAROLINA'S COMMUNITY COLLEGES (MOVED FROM CONSENT AGENDA)

Commissioner Coltrain said he agreed with the comments made by Pastor Batterman during the Public Comment Period and that he, too, had a problem with the term "illegal alien". Commissioner Coltrain said he would prefer the words "illegal immigrant". Commissioner Coltrain said he agreed with the resolution in principal and that he believed in helping his fellow man.

Commissioner Coltrain said if the immigrants were not following the proper process they should not have the same opportunities as those who were.

Commissioner Coltrain said reform of immigration laws was needed.

Commissioner Coltrain said it was humbling to watch shows that documented the struggles of people trying to better their lives.

Commissioner Coltrain suggested the Chairman write letters to the proper authorities to encourage efforts to reform immigration laws.

Commissioner Mitchell moved approval of the Resolution. The motion was seconded by Commissioner Coltrain.

Commissioner Coltrain asked if it would be out of place to add another section asking the appropriate bodies to address the need of reforming immigration laws.

Chairman Ford said he agreed with changing the word “alien”; however it was the legal term and he wanted to do things the legal way. Chairman Ford said he did not want to hurt anyone.

Commissioner Mitchell said in regards to the illegal alien issue, the words “illegal aliens” were taught even though they might not be what was politically correct. Commissioner Mitchell explained the difference between “immigrant” and “alien” as an immigrant was expected to stay permanently, or semi-permanently, whereas an illegal alien would be deported if caught.

Chairman Ford asked if the Board wished to add additional language.

Commissioner Coltrain said he would like to add language to encourage state and federal legislative bodies to explore reform of immigration laws.

Commissioner Mitchell said a letter to the federal delegation would be appropriate.

Upon being put to a vote the motion on the floor passed unanimously.

7b. SET PUBLIC HEARING FOR MARCH 1, 2010 FOR EMINENT DOMAIN ORDINANCE (MOVED FROM CONSENT AGENDA)

Commissioner Coltrain said he did not see the need for the resolution as the use of eminent domain had to be for a purpose of critical need or for the benefit of citizens at large. Commissioner Coltrain said he did not see the use of eminent domain being implemented to create walking or bicycle trails.

Commissioner Coltrain said he understood the ordinance was developed as the result of a previous presentation from a volunteer organization that worked with communities, at the request of the communities, to implement the Carolina Thread Trail. Commissioner Coltrain said during the presentation it was noted that the use of eminent domain would not be requested to obtain any property.

Commissioner Coltrain asked what would happen if the resolution was passed and a need appeared later for a jail site or industrial expansion that would require eminent domain. Commissioner Coltrain said he could not support the resolution.

Commissioner Mitchell pointed out that the document was not a resolution but rather an ordinance that would be law.

Commissioner Barber said it was a property rights issue and eminent domain should only be for the needs of government. Commissioner Barber said the eminent domain laws should also be changed. Commissioner Barber said he supported the ordinance and looked forward to the public hearing.

Commissioner Mitchell moved to set the public hearing as indicated in the agenda. Commissioner Barber seconded and the motion passed 4-1 with Commissioner Coltrain dissenting.

8. ADJOURNMENT

There being no further business to come before the Board, Commissioner Barber moved to adjourn at 8:42 pm. The motion was seconded by Commissioner Mitchell and passed unanimously.

Respectfully Submitted,

Carolyn Athey, CMC, NCCCC
Clerk to the Board